

Equal Opportunities Policy

Policy Statement

Transitions UK supports the principle of equal opportunities and opposes discrimination on the basis of age, sex, marriage and civil partnership, gender reassignment, race, disability, sexual orientation, religion or belief, pregnancy and maternity and part-time or fixed-term employment (defined as **Protected Characteristics**).

Being a committed equal opportunities employer, the Charity will take every possible step to ensure that employees are treated equally and fairly. All policies and practices will conform with the principle of equal opportunities in terms of recruitment, selection, training, promotion, career development, discipline, redundancy and dismissal. The Charity is committed to ensuring that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment. The Charity has a separate positive behaviour policy, which deals with these issues.

Transitions UK will ensure its policies and practice are reviewed and updated as regulations and legislation develops and is committed to continuing good practice; the charity will ensure that commitment reflects its particular charitable objectives and its historic and present mission to those in need.

Purpose

The purpose of the policy is to ensure that no job applicant, employee, worker, volunteer or service user receives less favourable treatment than any other on the grounds stated above, or experiences any form of discrimination.

The Charity is committed to taking positive steps to provide genuine equality of opportunity to enable the organisation to make full and effective use of its workforce and to provide a high quality service for users

The Charity reserves the right to limit certain jobs to applicants who have disabilities and special needs so as to promote its mission among its own service users; this will especially apply to social enterprise development but may apply to other appropriate roles within the organisation.

Scope

Application: This policy applies to all transitions UK employees, whether permanent, temporary, casual, part-time or on fixed-term contracts, to ex-employees, to job applicants and to individuals such as agency staff and consultants and volunteers who are not our employees, but who may work at the Charity (collectively 'workers').

Workers' duties: All workers have a duty to act in accordance with this policy, to treat colleagues with dignity at all times, and not to discriminate against, harass or victimise other members of staff, whether junior or senior to them. In some situations,

the Charity may be at risk of being held responsible for the acts of individual employees and will not tolerate any discriminatory practices or behaviour.

Types of unlawful discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic. An example of direct discrimination would be refusing to employ a woman because she is pregnant.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic (although it does not explicitly include pregnancy and maternity, which is covered by indirect sex discrimination) such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and (according to guidance from the Government and ACAS) pregnancy and maternity).

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as clients or customers. For an employer to be liable the harassment must have occurred on at least two previous occasions (although not necessarily by the same harasser or suffering the same type of harassment); it must be aware that the previous harassment has taken place; and it must have failed to take reasonable steps to prevent harassment from happening again.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he/she is suspected of doing so. However, an employee is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Equal opportunities in employment

The Charity will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Recruitment and selection

The Charity aims to ensure that no job applicant receives less favourable treatment because of a Protected Characteristic. Recruitment procedures will be reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities and that sufficiently diverse sectors of the community are reached. Job selection criteria are reviewed from time to time to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job.

As indicated above, the Charity reserves the right to limit certain jobs to applicants who have disabilities and special needs so as to promote its mission among its own service users; this will especially apply to social enterprise development but may apply to other appropriate roles within the organisation.

In general however:

all posts will be publicly displayed and widely advertised to ensure they reach a wide audience;

all posts will have a job description and person specification accurately reflecting the duties, levels of responsibility, necessary and desirable skills, experience, knowledge and aptitude required;

The interview panel (always at least two and normally three members) will independently short list applicants scored against the person specification; the interview itself will employ a standard set of questions to ensure each interviewee is interviewed and scored consistently.

Monitoring: To ensure that this policy is operating effectively with respect to recruitment and selection, and to identify those sections of the local community which may be under represented in employment, the Charity monitors applicants' racial origins, gender, disability, sexual orientation and religion and age as part of the recruitment procedure. We also maintain records of this data in an anonymised format solely for the purposes stated in this policy. Ongoing monitoring and regular analysis of the data provide the basis for taking appropriate positive steps to eliminate unlawful direct and indirect discrimination and implement this policy.

Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection Act 1998.

It should be noted that Transitions UKs commitment to effective monitoring and review applies equally to all its policies and procedures.

Staff training and promotion and conditions of service

Training needs shall be identified through the performance management process, with particular emphasis on regular employee appraisals. All workers will be given an equal

opportunity and access to training to enable them to progress within the Charity. All promotion decisions shall be made on the basis of merit.

Terms and conditions: Our conditions of service, benefits and facilities will be reviewed from time to time to ensure that they are available to all workers who should have access to them and that there are no unlawful obstacles to accessing them.

Disability discrimination

If you are disabled, or become disabled in the course of your employment, you are encouraged to tell us about your condition. This is to enable us to support you as much as possible and to ensure that you are not treated less favourably because of something related to your disability.

The Charity is especially concerned to ensure this area is handled well and wishes to set an exemplary standard in all things and especially in this area.

Reasonable adjustments: Workers may also wish to advise your Line Manager and/or Human Resources of any reasonable adjustments to your working conditions or the duties of your job which you consider to be necessary, or which would assist you in the performance of your duties.

This may involve the provision of an additional piece of equipment or assistance in helping you to perform your work. Your Line Manager / HR may wish to consult with you and with your medical adviser(s) about possible reasonable adjustments. Careful consideration will be given to any such proposals and they will be accommodated where possible and proportionate to the needs of your job. Nevertheless, there may be circumstances where it will not be reasonable for us to accommodate the suggested adjustments and we will ensure that we provide you with information as to the basis of our decision not to make any adjustments.

Fixed-term employees

The Charity will monitor our use of fixed-term employees and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities.

Part-time workers

The Charity will monitor the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. We will also ensure requests to alter working hours are dealt with appropriately under the Charity's Flexible Working Guidelines.

Dignity at Work

The Charity has a separate positive behaviour policy concerning issues of bullying and harassment on any ground, and how complaints of this type will be dealt with.

Your responsibilities

Every employee is required to assist the Charity to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.

Employees can be held personally liable as well as, or instead of, the Charity for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the Charity's disciplinary procedure.

Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Other Opportunities Matters

Physical features: The Charity will monitor the physical features of its premises to consider whether it can make any changes to help remove disadvantages which these may create for disabled users. Where possible and proportionate, the School will take steps to improve access for disabled users of the premises.

In selecting new premises or refurbishing existing premises, the Charity will be especially mindful of access issues, emotionally as well as physically, and will ensure as far as possible, that our premises support accessibility.

Customers, suppliers and other people not employed by the Charity

The Charity will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by the Charity.

You should report any bullying or harassment by customers, suppliers, visitors or others to your line manager or to the Chief Executive, who will take appropriate action.

Complaints

If you consider that you may have been unlawfully discriminated against, you may use the Charity's grievance procedure to make a complaint. If your complaint involves bullying or harassment, you are encouraged to raise the matter through the Charity's positive policy. If you are not an employee or volunteer, you should make your complaint via the Charity's complaints policy and procedure.

The Charity will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

Monitoring and review

This policy will be monitored periodically to judge its effectiveness and will be updated in accordance with changes in the law.

It will be reviewed annually or earlier if there is any significant change in legislation or internal procedure.

Next Review January 2019
